

201 KAR 6:030. Temporary permits.

RELATES TO: KRS 12.357, 216A.070(4)

STATUTORY AUTHORITY: KRS 12.357, 216A.070(3), (4)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 216A.070(3) authorizes the Board of Licensure for Long-term Care Administrators to promulgate administrative regulations necessary for the proper performance of its duties. KRS 216A.070(4) authorizes the board to promulgate administrative regulations concerning the issuance of a temporary permit to an individual to practice the art of long-term care administration. KRS 12.357 requires administrative bodies who issue licenses to issue temporary licenses or certificates to the spouses of active duty military members of the Armed Services of the United States within thirty (30) days if the spouse meets the statutory requirements and applies in a format promulgated in administrative regulation. This administrative regulation establishes the requirements for issuance of a temporary permit for Long-term Care Administrators.

Section 1. Temporary Permits Issued to Fill Emergency Vacancies. (1) The Department of Professional Licensing may, following consultation with a board member, issue a temporary permit to practice as a long-term care administrator to an applicant if:

(a) The applicant has submitted an Application for Licensure, form KBLTCA-1, incorporated by reference in 201 KAR 6:040;

(b) The applicant has completed all of the requirements established in 201 KAR 6:020 except the examination required pursuant to 201 KAR 6:020, Section 2(2), and the management experience required by 201 KAR 6:020, Section 2(3);

(c) The facility where the applicant is to be employed as the administrator is without a licensed administrator; and

(d) The facility owner, or a duly authorized representative of the facility, provides a written request and supporting information to the board indicating that an emergency situation exists.

(2) An emergency situation shall exist if:

(a) The facility is without a licensed long-term care administrator; and

(b) A licensed long-term care administrator is not available to fill the position.

(3) The request for temporary permit shall include payment of the temporary permit fee established in 201 KAR 6:060, Section 3.

Section 2. Temporary Permits Issued to Spouses of Active Military Members. (1) The spouse of an active duty military member of the Armed Forces of the United States may apply for a temporary permit at any time.

(2) The Department of Professional Licensing shall, following consultation with a board member, issue a temporary permit to practice as a long-term care administrator to the spouse of an active duty military member within thirty (30) days of receipt of the Application for Licensure, form KBLTCA-1, incorporated by reference in 201 KAR 6:040, requesting a temporary permit if:

(a) The applicant has completed all of the requirements established in 201 KAR 6:020 except the examination required pursuant to 201 KAR 6:020, Section 2(2), and the management experience required by 201 KAR 6:020, Section 21(3);

(b) The applicant has provided proof they are married to an active duty member of the Armed Services of the United States;

(c) The applicant has provided proof that the applicant holds a valid license or certificate for the profession issued by another state, the District of Columbia, or any possession or territory of the United States;

- (d) The applicant has provided proof that the applicant's spouse is assigned to a duty station in this Commonwealth pursuant to the spouse's official active duty military orders; and
- (e) The applicant has paid the temporary permit fee established in 201 KAR 6:060, Section 3.

Section 3. Restrictions on Temporary Permits. (1) A temporary permit shall not be transferred to another individual.

(2) A temporary permit shall, in accordance with KRS 216A.070(4) or KRS 12.357:

- (a) Be effective for no longer than six (6) months from the date it was granted; and
- (b) Not be renewed by the permit holder.

(3) The holder of a temporary permit issued pursuant to Section 1 of this administrative regulation may be relocated to another location if an emergency exists at that location during the period in which the permit is effective and a separate request for a declaration of emergency is filed and approved by the board pursuant to Section 1(1)(d) of this administrative regulation.

(4) An individual shall not be granted a temporary permit more than once during a five (5) year period.

(5) A temporary permit shall not authorize the individual to whom the permit was issued to manage more than one (1) facility at the same time.

(6) All temporary permits shall be subject to review by the board at the meeting immediately following issuance of the permit. The board shall revoke a temporary permit that does not satisfy the requirements of KRS 216A.070(4), KRS 12.357, or this administrative regulation. (25 Ky.R. 679; Am. 1584; eff. 1-19-1999; 40 Ky.R. 629; 1017; eff. 11-20-2013; 45 Ky.R. 3464, 46 Ky.R. 416; eff. 8-19-2019.)